

February 19, 1975

exists, the child may be detained in temporary custody, of somebody having charge of the child, and then the courts can order the evaluation of the child to find out which way to start sending the child to help him, to rehabilitate him, to make him a worthwhile member of society, and to, eventually, try to keep him out of the harder institutions in this state. So, I think I have explained this best, and Senator Luedtke, if I have missed, I think the best thing to say is that it is a juvenile D & E bill just like the adults have a D & E bill and I would move for the adoption of the amendment.

SENATOR SAVAGE PRESIDING

SPEAKER: Senator Kelly.

SENATOR KELLY: Mr. President, members of the Legislature, a question of Senator Barnett.

SPEAKER: Senator Barnett, will you yield?

SENATOR BARNETT: I will try to.

SENATOR KELLY: Actually, Senator Barnett, this may not be a question. It will require a little essay from you on what we are after. Looking on Page 4, when we are talking about the evaluation bit, and I understand we don't want to put these kids in for a evaluation and leave them there for ninety days or a hundred and twenty days or two hundred, but what's this evaluation all about and when the evaluations are done, what happens then? What's this procedure for?

SENATOR BARNETT: OK. I will try to explain it the way I understand it in lay terms and I think, if I am wrong, Senator Luedtke will be the first one to jump up and scream. The evaluation is set forth by the court and I think you hit it on the head. You don't want to send these people to Kearney or the Reformatory, if they could be placed back in home or if they could be placed in a foster home or if they could be put on a in-service, out-service type rehabilitation program somewhere in the state. The evaluation is to find out by the court what condition the child is in and what help he needs. Then as soon as the evaluators find it out, wherever he is sent, it could be to a doctors, it could be to a psychologist, it could be to the detention, the...what do they call the place at the Nebraska Home for Children. They have a detention center for this purpose of taking the child and putting him in there and evaluating him and they can hold him up to ninety days. If they find out in fifteen days what is wrong with the child, in their opinion, then they take this information back to the court and the court, then, decides what to do with the child.

SENATOR KELLY: Thank you, Senator Barnett. This is what I would want to have happen with these children, is that they not be sent, such as an example, the Nebraska Psychiatric Institute and they study them for the next year. In reality, these kids, at times, are just being put in jail in the name of health care. I believe this bill will prevent that. However, this bill is going to create a problem in which the state of Nebraska has no solution for and that is that we just plain simply do not have facilities for juveniles and kids. I hope that we can pass this bill and I hope that this will bring out the glaring deficiency,